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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8
9 United States of America,
10 Plaintiff/Respondent,

11 v.

12 Luis Arturo Alonzo,
13 Defendant/Petitioner.

No. CV-11-02171-PHX-GMS (ECV)
No. CR-10-1431-PHX-GMS

ORDER

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15 Pending before the Court are Petitioner's Motion to Vacate, Set Aside or Correct
16 Sentence pursuant to 28 U.S.C. § 2225 and United States Magistrate Judge Edward C.
17 Voss's Report and Recommendation ("R&R"). Docs. 1, 10. The R&R recommends that
18 the Court deny the Motion. Doc. 10 at 10. The Magistrate Judge advised the parties that
19 they had fourteen days to file objections to the R&R and that failure to file timely
20 objections could be considered a waiver of the right to obtain review of the R&R. *Id.* at
21 10 (citing 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(b), 72; *United States v. Reyna-Tapia*,
22 328 F.3d 1114, 1121 (9th Cir. 2003)).

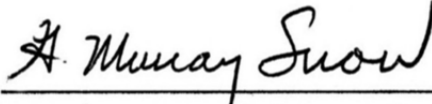
23 The parties did not file objections, which relieves the Court of its obligation to
24 review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149
25 (1985) ("[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is
26 not the subject of an objection."); Fed. R. Civ. P. 72(b)(3) ("The district judge must
27 determine de novo any part of the magistrate judge's disposition that has been properly
28 objected to."). The Court has nonetheless reviewed the R&R and finds that it is well-

1 taken. The Court will accept the R&R and deny the Motion. *See* 28 U.S.C. § 636(b)(1)
2 (stating that the district court “may accept, reject, or modify, in whole or in part, the
3 findings or recommendations made by the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The
4 district judge may accept, reject, or modify the recommended disposition; receive further
5 evidence; or return the matter to the magistrate judge with instructions.”).

6 **IT IS ORDERED:**

- 7 1. Magistrate Judge Voss’s R&R (Doc. 10) is **accepted**.
8 2. Petitioner’s Motion to Vacate, Set Aside or Correct Sentence (Doc. 1) is
9 **denied**.
10 3. The Clerk of Court shall **terminate** this action.
11 4. The docket shall reflect that the Court certifies, pursuant to 28 U.S.C.
12 § 1915(a)(3) and Federal Rules of Appellate Procedure 24(a)(3)(A), that any appeal of
13 this decision would not be taken in good faith.

14 Dated this 26th day of February, 2013.

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17 _____
18 G. Murray Snow
19 United States District Judge
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